



Office of Temporary and Disability Assistance

Fair Hearings

A Fair Hearing is a chance for you to tell an Administrative Law Judge from the New York State Office of Temporary and Disability Assistance, Office of Administrative Hearings, why you think a decision about your case made by a local social services agency is wrong. The Office of Temporary and Disability Assistance will then issue a written decision which will state whether the local agency's decision was right or wrong. The written decision may order the local agency to correct your case.

- **Request a Fair Hearing** - Requests for Hearings can be completed online, by US Mail, by telephone or by fax.
- **Request an Adjournment or Reopening** - If you cannot appear at a hearing that has been scheduled but hasn't been held yet, you may request that it be adjourned (postponed) to another date. You may submit your request for an adjournment online, by US Mail, by telephone or by fax. If the hearing date has already passed and you didn't attend the hearing, under some limited circumstances, you may be able to have the hearing rescheduled.
- **Cancel a Fair Hearing** - If you no longer need a hearing that you have requested, you may let us know online, by US Mail, by telephone or by fax.
- **Request Compliance with a Fair Hearing Decision** - If you have received a fair hearing decision that says that your local agency should do something and you believe that they haven't done it, you may submit a Compliance Complaint to us. You may do this online, by US Mail, by telephone or by fax.
- **Search the Fair Hearing Decision Archive** - The Office of Administrative Hearings publishes all of its Fair Hearing Decisions on the Internet. These decisions have all personal and confidential information removed. If you want to look at old decisions or find other decisions whose facts are similar to yours, you may search this archive.

Contact Fair Hearings

For all other issues, including inquiries or complaints regarding a specific fair hearing decision, obtaining an additional copy of a decision, or requests to amend a decision and/or reopen a hearing, you may contact the Office of Administrative Hearings at:

Office of Temporary and Disability Assistance
Office of Administrative Hearings,
PO BOX 1930
Albany, N.Y. 12201-1930

Fax: 518-473-6735

Phone: 1 (518) 474-8781 or 1 (800) 342-3334 (toll free)

Speech or Hearing Impaired Individuals

Please contact the New York Relay Service at 711 and request that the operator call us at 1 (877) 502-6155. Service at this number will *only* be provided to callers using TDD equipment.



Request a Fair Hearing

You may request a fair hearing in any of the following ways:

- Online Request Form
- Mail or Fax a Printable Request Form
- Request by Telephone
- Request in Person (NYC and Albany only)

Once your fair hearing request is processed, we will send you notification (OAH-4420 Acknowledgement of a Fair Hearing Request) by US Mail.

Online Request Form

You may request a Fair Hearing using the Fair Hearing Online Request Form (<https://errswebnet.otda.ny.gov/errswebnet/erequestform.aspx>). You must have JavaScript enabled in order to use the online forms.

Mail or Fax a Printable Request Form

Complete a printable version of the Fair Hearing Request Form (PDF) . To preserve any aid-continuing rights, be sure to fax or postmark your request as described in the Notice of Intent.

- Fair Hearing Request Form (English)
- Fair Hearing Request Form (Arabic)
- Fair Hearing Request Form (Chinese)
- Fair Hearing Request Form (Haitian-Creole)
- Fair Hearing Request Form (Italian)
- Fair Hearing Request Form (Korean)
- Fair Hearing Request Form (Russian)
- Fair Hearing Request Form (Spanish)

This form may be faxed to 518-473-6735 or mailed to the following address:

New York State Office of Temporary and Disability Assistance
Office of Administrative Hearings
P.O. Box 1930
Albany, NY 12201-1930

If your request involves an issue about health benefits or services provided under your Managed Care Plan or Managed Long Term Care you can write to:

NYS Office of Temporary and Disability Assistance
Office of Administrative Hearings
Managed Care Hearing Unit
P.O. Box 22023
Albany, New York 12201-2023

Request by Telephone

Telephone request for Fair Hearings can be made by calling our statewide toll-free number: 1 (800) 342-3334

If you live in NYC and need to request an emergency Fair Hearing, you may call 1 (800) 205-0110. This number is only for emergency situations. Requests that do not involve emergencies will not be taken at this number.

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Request in Person

A request for a Fair Hearing may be made in person at the following locations:

New York City

Office of Temporary and Disability Assistance
Office of Administrative Hearings
14 Boerum Place, 1st Floor
Brooklyn, New York 11201
Directions to 14 Boerum Place

Albany

Office of Temporary and Disability Assistance
Office of Administrative Hearings
40 North Pearl Street, 15th Floor
Albany, New York 12243



Office of Temporary and Disability Assistance

Request an Adjournment or Reopening

If you are unable to attend your scheduled hearing and your hearing date hasn't passed yet, you may request a new hearing date. You will need to explain to us why you have a good reason ("good cause") for the hearing to be rescheduled.

If you did not attend a scheduled hearing, you may request that we reopen and reschedule your defaulted hearing. You must provide a good reason ("good cause") for failing to appear at the scheduled hearing within one year from the date of your failure to appear. A defaulted hearing will not be restored to the calendar if the request to reopen and reschedule is made a year or more from the date of your failure to appear.

If we cannot adjourn or reopen your previously scheduled hearing, we will treat your request as a new request for a fair hearing. This means that your eligibility to have your benefits continue until the hearing, if applicable, will be based on the new request date.

You may request an adjournment or reopening in any of the following ways:

- Online Adjournment Form
- Mail or Fax a Printable Adjournment/Reopening Form
- Request an Adjournment or Reopening by Telephone
- Request an Adjournment or Reopening in Person (NYC and Albany only)

Online Adjournment Form

You may request an Adjournment using the Fair Hearing Online Adjournment Form (<https://errswebnet.otda.ny.gov/errswebnet/eadjournment.aspx>). Note that you may **not** use the online form to request that a hearing be reopened. You must have JavaScript enabled in order to use the online forms.

Mail or Fax a Printable Adjournment/Reopening Form

Complete a printable version of the Fair Hearing Adjournment/Reopening Form (PDF)

- Fair Hearing Adjournment/Reopening Form (English)
- Fair Hearing Adjournment/Reopening Form (Arabic)
- Fair Hearing Adjournment/Reopening Form (Chinese)
- Fair Hearing Adjournment/Reopening Form (Haitian-Creole)
- Fair Hearing Adjournment/Reopening Form (Italian)
- Fair Hearing Adjournment/Reopening Form (Korean)

- Fair Hearing Adjournment/Reopening Form (Russian)
- Fair Hearing Adjournment/Reopening Form (Spanish)

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New York State Office of Temporary and Disability Assistance
Office of Administrative Hearings
P.O. Box 1930
Albany, NY 12201-1930

Written requests for adjournments submitted less than seven days before the hearing may not allow sufficient time for proper processing and our written response, should it be necessary.

Request an Adjournment or Reopening by Telephone

A request for an adjournment or reopening of a fair hearing may be made by calling our statewide toll-free adjournment number: 1 (877) 209-1134.

Speech or Hearing Impaired Individuals

Please contact the New York Relay Service at 711 and request that the operator call us at 1 (877) 502-6155. Service at this number will *only* be provided to callers using TDD equipment.

Request an Adjournment or Reopening in Person

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Cancel a Fair Hearing

If you have a hearing scheduled and you feel you no longer need to attend it, you may withdraw your fair hearing request. If you cancel your hearing and your local agency has not made other agreements with you about the problem you wanted reviewed, they will legally be able to take the action for which you had requested the hearing.

You may withdraw your request for a fair hearing in any of the following ways:

- Online Fair Hearing Withdrawal Form
- Mail or Fax a Printable Fair Hearing Withdrawal Form
- Withdraw a Fair Hearing Request by Telephone
- Withdraw a Fair Hearing Request in Person (NYC and Albany only)

Online Fair Hearing Withdrawal Form

You may withdraw your request for a fair hearing using the Fair Hearing Online Withdrawal Form (<https://errswebnet.otda.ny.gov/errswebnet/ewithdraw.aspx>). **Use this form ONLY if you wish to cancel your hearing.** You must have JavaScript enabled in order to use the online forms.

Mail or Fax a Printable Fair Hearing Withdrawal Form

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- Fair Hearing Withdrawal Form (English)
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Office of Temporary and Disability Assistance

Request Compliance with a Fair Hearing Decision

If you have received a fair hearing decision that says that your local agency should do something and you believe that they haven't done it, you may submit a Compliance Complaint to us.

You may submit a Compliance Complaint in any of the following ways:

- Online Compliance Request Form
- Mail or Fax a Printable Compliance Request Form
- Submit a Compliance Request by Telephone
- Submit a Compliance Request in Person (NYC and Albany only)

Online Compliance Request Form

You may submit a Compliance Complaint using the Fair Hearing Online Compliance Complaint Form (<https://errswebnet.otda.ny.gov/errswebnet/ecompliance.aspx>). You must have JavaScript enabled in order to use the online forms.

Mail or Fax a Printable Compliance Request Form

Fill out the "Request for Compliance" (Form OAH-4482, Page 2) that came with the Fair Hearing decision you received in the mail or complete a printable version of the Fair Hearing Compliance Complaint Form (PDF)

- Fair Hearing Compliance Complaint Form (English)
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Submit a Compliance Request by Telephone

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Fair Hearing Decision Archive

Search for Fair Hearing Decisions

On this page you can search all of the Fair Hearing decisions issued by the Office of Administrative Hearings since November 1, 2010. To do this, enter the word or words you want to search for (for example, shelter and homeless). If you want, you can limit your results to decisions issued within the time period that you specify. When you hit the Search Now button, you will get a list of all the Fair Hearing decisions that have those words in them. Select a link to read the decision.

Note that the Fair Hearing decisions have been edited to remove all identifying information.

Search the Fair Hearing Decision Archive

For these words:

In decisions issued between
these dates:

November	01	2010	and	March	12
2015					

Search Now

See the search tips page (http://www.search.its.ny.gov/user_help.html) for help with improving search results. If you have a question or comment about the Fair Hearings Decision Archive, please contact the Office of Administrative Hearings at hearings.oaharchive@otda.ny.gov.